

## The Intestacy Rules 2023 Update

August 2023

In July 2023, the statutory legacy due to a surviving spouse or civil partner under the Intestacy Rules increased from £270,000 to £322,000.

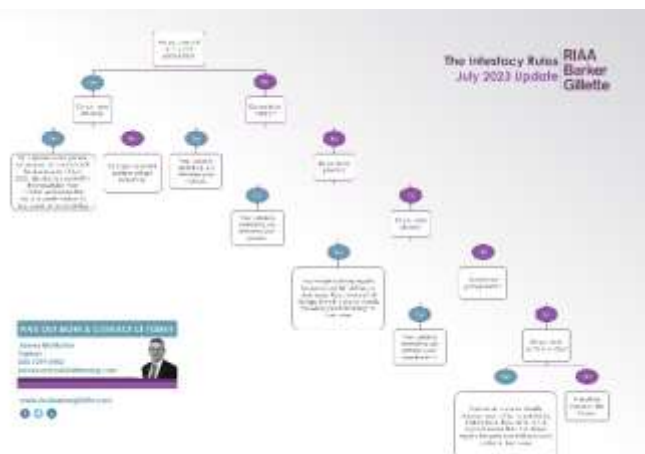
### What is a statutory legacy?

Under the Intestacy Rules, the statutory legacy is a fixed sum that the intestate's surviving spouse or civil partner is entitled to, providing there is enough money in the estate and the intestate leaves behind no close family members such as children.

### What are the Intestacy Rules?

The Intestacy Rules are the rules which govern how your estate will be distributed if you die without having made a will. However, the rules may not distribute your estate as you hope.

The rules of intestacy depend on your family tree, whether you are married or in a civil partnership, and whether you have any surviving family members at the time of your death.



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### What if I live with someone, but we're not married?

Under the Intestacy Rules, unless you are married or have entered into a civil partnership, your partner will receive no part of your estate on your death; similarly, nor will your stepchildren. Instead, your unmarried partner would have to claim against your estate under the [Inheritance \(Provision for Family and Dependants\) Act 1975](#), a costly and stressful process that usually leaves a trail of damaged familial relationships where no one is the winner except the lawyers.

### Why make a will?

Having a will in place ensures that you make provisions for your preferred friends and family members. They also allow you to cater for unforeseen circumstances, including the possibility that a beneficiary may die before you.

Read our article "[The benefits of having a will](#)" for more information.

If you're still unsure about the Intestacy Rules or if you have a query about a death before 26 July, speak to private client partner [James McMullan](#) today.

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Note: This article is not legal advice; it provides information of general interest about current legal issues.

